

AMENDMENTS TO THE DRAWINGS

Applicant respectfully submits replacement drawing sheets 2 and 3, including Figures 2 and 3 to replace originally-filed drawing sheets 2 and 3 (Figures 2 and 3). The replacement drawing sheets include the following changes:

Figure 2, the motor 8 is shown connected to the wheels 2 driven by a transmission 9 having differential 17. Figure 2 has also been amended to show schematically the docking rail 18.

In figure 3, the docking rail 18 has been added and shown schematically for consistency.

Attachment: Replacement sheets

REMARKS

Applicants respectfully request reconsideration. Claims 1, 3-8 and 10-12 were previously pending in this application. Claims 6 and 7 are canceled by this Amendment. Claims 1 and 3 are herein amended. Claim 1 has been amended to include the subject matter of canceled claim 7. As a result, claims 1, 3-5, 8, and 10-12 are pending for examination with claim 1 being the only independent claim. Page 4, line 28 through page 5, line 2, of the English translation of the originally filed application have been amended. No new matter has been added.

Objections

The drawings were objected to under 37 CFR § 1.83(a). The Office Action objects to the drawings for not showing the “docking rail”. Applicants have herein amended Fig. 2 to include a schematic representation of the docking rail 18. The drawing has also been amended to show schematically, one electric motor 8 instead of two, and a differential 17 linking electric motor 8 to the two transmissions 9. Applicants have, also, amended Fig. 3 to include a schematic representation of the docking rail 18. Support for the amendments to the drawings can be found throughout the original specification and claims including, for example, original claims 7 and 9 and page 3, lines 10-18. Replacement sheets are submitted herewith. In light of the above Applicants respectfully request that the objection to the drawings be withdrawn.

Amendments to the Specification

The detailed description of the figures and embodiments present in page 4, line 28 through page 5, line 2, of the English translation of the originally filed application have been amended to reflect the changes in the replacement drawings. Support for the amendments to the specification can be found throughout the original specification and claims including, for example, original claims 7 and 9 and page 3, lines 10-18.

35 USC § 112 Rejections

Claims 3, 8, and 10-12 were rejected under 35 USC § 112 second paragraph for being indefinite or depending from an indefinite base claim. Applicants have amended claim 3 to resolve this matter of indefiniteness. Claims 8 and 10-12 were rejected for depending from claim 3.

Consequently, Applicants respectfully request that the rejections of claims 3, 8, and 10-12 be withdrawn.

35 USC § 103(a) Rejections

Claim 1 and the now incorporated matter of claim 7 were rejected under 35 USC § 103(a) as being unpatentable over Fujiwara (US Patent No. 5,746,282) in view of Kozlowski (US Patent No. 6,218,796), Losego (US Patent No. 5,064,012), and Van Horn (US Patent No. 5,773,954). This rejection is traversed.

Without acceding to the propriety of the rejection Applicants have herein amended claim 1 to recite, “~~ant least one~~ electric motor functionally linked to a transmission and acting upon at least one of the wheels, the electric motor being arranged on the underside of the base, wherein the electric motor, is arranged approximately at a center of the base, and wherein the electric motor is functionally linked to a corresponding wheel via the transmission, wherein the transmission has a differential, wherein an accumulator, arranged on the same side of the base as the at least three wheels, is equipped with a docking rail arranged in a marginal region of the base, the docking rail being constructed and arranged to be connectable to a charging rail for charging the accumulator.”

The Office Action states that Fujiwara discloses a transmission having a differential. Applicants respectfully disagree.

Applicants respectfully submit that Fujiwara does not mention a differential and instead discloses using two motors to independently power two separate driving wheels (see Fujiwara Figs. 2A and 2B and Col. 7 lines 1-16). Fujiwara further states that the power-assisted cart may be steered by altering the rotational speed of one driving wheel with respect to the other (see Fujiwara Col. 7 lines 41-56). Fujiwara also discloses that the two independently driven wheels may be driven at different torques (see Fujiwara Col. 8 lines 21-37). A conventional differential is designed to transmit the power from a single motor to at least two shafts or axles with equal torque while allowing them to rotate at different speeds. As such, not only would there have been no need for the inclusion of a differential in the design of Fujiwara, since each drive wheel is independently controlled, Fujiwara actually teaches away from the inclusion of a differential by disclosing the

transmission of different torques to the separate drive wheels. Consequently, Fujiwara does not explicitly or inherently disclose a differential.

For at least the above reasons, amended claim 1 is patentably distinguishable from the combination of Fujiwara, Kozlowski, Losego, and Van Horn. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn.

Dependent Claims

Dependent claims 3-5, 8 and 10-12 depend from independent claim 1 and are allowable for at least the same reasons. As such, Applicants do not feel that it is necessary at this time to argue the further distinguishing features of these claims. Accordingly withdrawal of the rejections of these claims is also respectfully requested.

CONCLUSION

In view of the above amendment, Applicant believes the pending application is in condition for allowance and a Notice of Allowance is respectfully requested. If the Examiner believes that minor clarifying amendments to the claim would be helpful, the Examiner is requested to call the undersigned at the telephone number listed below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. H0075.70115US00 from which the undersigned is authorized to draw.

Dated: December 23, 2010

Respectfully submitted,

By  _____

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